

Revenue (1933) Department.

MS SERIES.

G.O. No. 1555,

DATED 30-8-1933

[Despatch Abstract.]

Sanction - Land and Revenue - (South Kanara) - Udipi Taluk -
S.No.216-A-1-1 of Shivalli village and S.No.178-2
of Puttur village - Temple and Aggraterances -
Sanctioned.



19

No. 1724F

13th to 19th
Holidays

Registered 10.4.1933

Subject.

Alienation.— Land and Revenue —(South Kanara)— Udipi taluk—
S.No. 216-A1-A of Shivalli village and S.No. 178-2 of Puttur
village— Construction of temple.

ENCLOSURES.

No.

Spare copies

Reference... NOB 912/33—3

Station M a d r a s, Dated the 7th April 1933 19

From

A.R. MacEwen Esq., M.C., I.C.S.,
Secretary,

Land Revenue. and
The Board of Revenue, Revenue Settlement, etc.
Separate Revenue.

Recognition
Reference.

The Hon. Mr. C.B. Cottrell, C.I.E., I.C.S.,
Commr. of Land Revenue. —

Read the following:—

Letter from E.M. Gawne Esq.,
Kanara, No. Ref. B3-550-33 dated the 7th February 1933:—

Alienation— Land and revenue— Udipi taluk— S.No. 216/A1A of
Shivalli and 178/2 of Puttur villages — construction of temple
and its appurtenances.

The lands mentioned above were alienated in G.O. 2077

✓) Mis., Revenue, dated 22-11-1922 communicated with B.P. Mis. No.

2390 L R & Sett., dated 1-12-1922 in favour of the moktessors of Sri Lakshmi Venkatesh Temple of the Vaisnavani community of Puttur village, allowing a period of two years for completing the construction of the temple and its appurtenances. Several extensions of time were granted subsequently for completing the work. The last extension was sanctioned in G.O.Ms.No. 1563, Revenue, dated 27-7-1932 communicated with B.P.No. Mis. 2300, L.R & Sett., dated 1-8-32. As directed in paragraph 2 of this G.O., the moktessors were informed that no further extension of time will be granted.

2. The Secretary of the temple has now submitted a petition asking for a further extension of time till the end of December 1935 on the ground that the Community is poor, that three of the moktessors are dead, that the vacancies have not been filled up and that the idol is half finished. In the alternative, he asks for the assignment of the land and is prepared to pay back assessment.

3. The important items of work, viz., sanctum sanctorum and three ~~powlis~~ (outer verandahs) have been completed. The remaining items are a front 'powli' an outhouse for a priest and a car shed. Then an idol has to be installed. The car shed can wait and with it the outhouse for the priest also; but the front 'powli' and the installation of the idol are essential. There has not been any progress in the work. This is due to the poverty of the Community and the death of three moktessors. The work has thus devolved on the Secretary alone who seems to be in earnest, but has not sufficient resources.

4. The extension of time now asked for is too long. Though a sum of about Rs. 5000 is reported to have been spent on the items of work already finished, I doubt whether the community will be able in the near future to raise sufficient funds for the completion of the work, owing to lack of enthusiasm, their own poverty

and the general financial depression. Extensions of time for shorter periods will in no way improve matters in hastening the completion of the work. On the other hand it will be only a matter of formality to give extensions from time to time. The land can no doubt be resumed for infringement of the conditions of the grant. This will only cause loss to Government as under clause (V) of the terms of the grant, compensation has to be paid for the buildings erected or other improvements effected on the land. A building constructed for purposes of a temple will not be of any use to Government. In view of these circumstances, I am of opinion that the land may be assigned under B.S.O 15 on payment of ba assessment for ten years in the name of the Moktessors of the temple for the time being, as a considerable sum has been spent on the improvements. The assignment is to be subject to the condition that the land is to be used solely for temple purposes. I request that the Board may be pleased to recommend this proposal to the Government.

P 79 (W)

B.S.O
p 374 Vol I
(No. 1 in Supp
mem)

II

Board's reference thereon No.B 912-33--1, dated 15-2-1933

The Collector is requested to report-

- (1) whether the lands in question are valuable and if so to report their value and
- (ii) whether the alienees agree to pay the amount.

III

Letter from E.M.Gawne Esq., I.C.S., Collector of South Kanara
Ref B3 No. 550-33 dated the 1st March 1933:-

Reference.- Board's Ref.No. 912-33 dated 15-2-1933.

The lands in question are reported to be dry lands and not valuable.

Board's reference thereon No. B 912-33-2 dated 7.3.1933.

The Collector is requested to report -(i) whether the lands in question fall under any of the classes mentioned in B.S.O. 15-22 and if so what their value is and (ii) whether the alienees agree to pay their value.

Letter from F.W. Gavne Esq., I.C.S., Collector of South Kanara,
Ref B3 No. 550-33 dated the 16th March 1933:-

Reference.- Board's reference B 912-33-2 dated 7th March 1933.

The lands do not fall under any of the classes mentioned in B.S.O.15-(22). There are no irrigation projects or Government irrigation works in this district.

Reference.-

Submitted to the Government.

2. The Board supports the Collector's recommendation.


for Secretary.

To the Secretary to Government, Revenue Deptt.

M.D. 6-4



Rev Dept

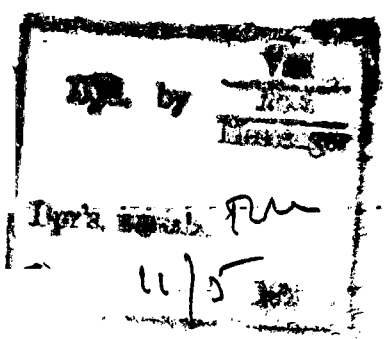
J.M. No 1424 F/33-1 8.5.33.
 Alienation - Land and Rev.
 (South Kanara) - Udupi M -
 S.No 216-A-1-A of Shivalli village
 and S.No 178-2 of Puttur village -
 Temple - Bd's ref No B912/33-1
 7.4.33

~~The Govt consider that~~
 under note (4) to B.S.O. 21,
 assignment is not the proper
 procedure in the present case. ~~and~~
~~that the~~ temple may be
 regarded as completed provided
 the alienee will now agree to
 the insertion of the following condition
~~alienation on the usual terms~~
 in regard to the improvements.
 The Bd of Rev. is requested to
 report whether the alienee agree
 to such a course.

177 of B.S.O. Vol I - RK No 1

S. emp's remarks on p 5 up

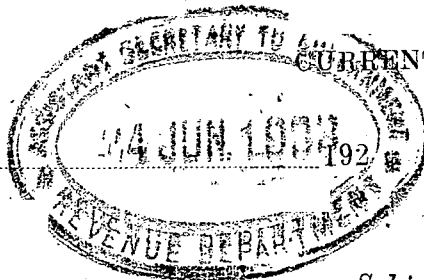
after condition 10 sanctioned in 20.2.77
 22-11-22
 In the event of such resumption
 the Govt may as their option
 (a) purchase the buildings on the land, or
 (b) allow the grantee to purchase the land
 at its value on the date of sale, or
 (c) direct the grantee to remove the
 buildings.
 The Bd of Rev (L. Rds)



4.5.33
 4/5/33

5.5.33

Received.....



CURRENT No.

2214F 72

Registered.....

246.55

192

Subject.

Alienation.— Land and Revenue—(South Kanara)— Udipi
taluk— S.No.216-ALA of Shivaili village and S.No.178-2
of Puttur village— Temple.

ENCLOSURES.

No.....

Spare copies.....

Reference... No. B 912/33--5

Station..... M a d r a s

Dated the 23rd June 1933..... 192 .

From A.R. MacEwen Esq., M.C., I.C.S.,
Secretary,

Land Revenue. and
the Board of Revenue, Revenue Settlement, etc.
Separate Revenue.

The Hon. Mr. C. B. Cotterell, C.S.I., C.I.E., I.C.S.,

Resolution

Commr. of Land Revenue.

Reference

Read the following:—

Memorandum from Government, Revenue Department, No. 1424
F/33-1, dated the 8th May 1933.

II

Letter from E.M. Gawne Esq., I.C.S., Collector of South
Kanara, No. Ref. B-3-550-33, dated the 16th June 1933:—

Reference.— Board's reference B.No. 912-33-4, dated
15th May 1933.

The temple had five moktessors. Three are dead and no

substitutes have been appointed. The Tahsildar reports that the vacancies are not likely to be filled up in the near future. The remaining two have stated in writing that they agree to the insertion of the proposed new condition..

Reference.--

Submitted to the Government.



for Secretary.

To the Secretary to Government,

Revenue Department.

M.D.23--6

Noted
28/6

Sp 87/7
9/11

Rev Dept

O. No. 1424 F/33-2 of 7-33.

Alienation - Land and Rev.
(South Kanara) - Eldipri Tk

S. No 216 - A-1-A of Shivali
village and S. No 178/2 of Puttur
village - Temple - Bd's refce
No B 912/33-5 of 23.6.33.

It is proposed to add to
~~The Govt consider that~~
~~the following conditions should~~
~~also be imposed~~

Vide condition (6) on p 3 of (2)

In the event of the grantee
refusing to remove the buildings,
when so directed under
condition (4)(c), the Govt
may remove them and realise
the cost of the removal by the
sale of the materials."

Vide condition (7) on p 3 of (2)

In the event of the voluntary
relinquishment of the land by the
grantee, no compensation shall
be payable for any improvement
that may have been effected or
other work that may have been
executed on the land by the
grantee at his cost."

~~They also consider that the~~
and to add the words

was followed by the purchase of
the buildings under condition (4) (5)
~~and~~ added after the word
land in condition (V) under
paragraph 2 of G.O. 2077 Rev.
of 22.11.22. The Bd of Rev is
requested to report whether the
notifiers agree to these
additions.

17 of (W)
(W)

W
/ 27

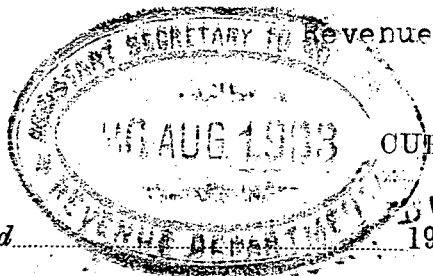
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7.33

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47.33

20

The Bd of Rev (L. Ref.) ✓



DEPARTMENT.

C.F. 31

Received

CURRENT No.

3191F⁷²

Registered

26837

19

Subject.

Alienation.— Land and Revenue —(South Kanara)— Udipi taluk.
Shivalli and Puthur villages— Temple

ENCLOSURES

No.

Spare copies

Reference.. No. B 912/33--8

Station M a d r a s, Dated the 25th August 33 19

From
A.R.MacEwen Esq., M.C., I.C.S.,
Secretary,

Land Revenue and
The Board of Revenue, Revenue Settlement, etc.
parate Revenue.

A.H.A.Todd Esq., I.C.S.,

Commr. of Land Revenue.

Resolution

Reference.

Read the following:

Memorandum from Government, Revenue Department, No. 1424
F/33-2, dated the 4th July 1933.

II

Letter from E.M.Gawne Esq., I.C.S., Collector of South
Kanara, Ref.B3 No. 550-33 dated the 16th August 1933:—

Reference.— Board's references No.B 912/33-6 dated 11th
July 1933 and No.B 912/33-7 dated 21st July 1933.

The moktessors have stated in writing that they agree to
the conditions now proposed.

Reference.—

Submitted to the Government.

V. J. Cunningham
for Secretary. 25.833

To the Secretary to Government, Revenue Department.

M.D.25—8

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TRK 25/6*

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[CN 1424 F₃₃] ~~Shivani~~ and ~~Land and Revenue~~

~~Board of Land and Revenue~~

~~Shivani village and~~

~~Shivani village and~~

~~Construction of temple~~

~~From Board of Land and Revenue B 912/~~

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29

original
Board

H-5-7 of

202077 Rev
22-11-28

(W)

~~and of the Board of Land and Revenue~~

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Collector for further extension of time till para 2 on
end of Dec 1935. or in the alternative for
the assignment of the land and has also expressed
his readiness to pay back assessment.

For the reasons given in para 4 of his para 2. 3 CF
letter, the Collr. recommends the assign-
ment of the land in the name of the
Mistress of the temple for the time
being on payment of back assessment
for ten years. subject to the condition
that the land should be used solely
for temple purposes.

The lands in question are
reported to be dry land. As they
have been alienated for construction

of temple, they presumably adjoin
village nattan. ^{since} it is not probable
that a temple is constructed in the
midst of cultivated fields. ~~and~~ ^{if} any

cases it does not appear proper
to assign land ~~under~~ ^{to} ~~the~~ ^{for}
the construction of a temple. ~~and~~

~~Para 11-13. Temple lands are exempt~~ ~~from~~ ~~land~~ ~~revenue~~ ~~as~~ ~~they~~ ~~will~~ ~~no~~
~~return to the owner.~~ ~~Para 101-102 of~~ ~~Govt~~ ~~Book 1~~

In the circumstances it is
for order whether the Collector's proposal
which is supported by the Board of Rev.

will be approved or whether the
 houses or the temple will be given and
 extension of time say for till Dec 1935 as
 applied for subject to the condition
 that at the end of the period if the
 temple is not completed the land
 will be resumed without any compen-
 sation being paid for the buildings
 erected or other improvements effect on the
 land.

21/4/33 I think an order was issued
 recently that assignment of land
^{8u}
24/4/33 for construction of temples, mosques,
 is prohibited, & that ^{checking is the latest price} ~~the~~ such purposes as
 come up to that & in that connection
 I think that the Bd was asked to make an
 investigation of communal trouble in every
 case of submission for such a purpose. Present

ordinary

of
 2.9
 33
 23

To U.S.

With reference to U.S.'s remarks above,
 attention is invited to note (4) under
 B.S.O. 21 according to which applications for
 sites for places of worship or schools etc should
 be dealt with under B.S.O. 24.

It is presumed that U.S. has in mind
 the order in G.O. No 2054 Revd 29.9.31 which is put up at (V).

1779 B.S.O. Vol I - R.K.M.1
 21/2/33 (V)

29.9.33
^{8u}
20/4/33

The usual condition of the Grant
to purchase or convey, -- to allow
the grantee to purchase the land, or to direct
the grantee to remove the buildings in
the event of resumption has for some
reason been scored out at p. 6 of (W).
As the Collector prints at Grant will have
to pay compensation for the buildings if
the land is resumed in this case the
building would be useless to Grant

Resumption is therefore out of the question.

But if the condition A above
had been imposed Grant could sell the
land to the grantee the effect
would be the same as the proposal
now made by the Collector, except
for the payment of the value of the land.

But as assignment under 1880. 15-
does not appear to be the proper
proceeding, the Collector may be as
to inquire whether the grantees are
willing to purchase the lands.

The only other course open
seems to be to grant the resumption
if time applied for.

6/

1. 3. 33

S-

11/2

It is to be noted that the temple is, for
our purposes, completed and no further work
further about it - provided the alieness will
now agree to alienation in the usual terms
as regards to the improvements.

Draft accordingly.

Dr
7/5.

Recd m/c/5
2

(2)

urgent (Draft from
orders)

To U.S.

With reference to Secy's orders above,
a draft O.M. to the Bd of Rev is submitted
for approval.

(17)

Dr
5/5/33

4-5-33
8x
4/5/33

Circ. 8-5-33.

Dr 4/5.

(3) call
8-5-33

leave
Dr 4

195

(31)

1154
119284

Issued as O.M. no 1424F/33-1 d 8-5-33

From the Bd of Rev (L. R.H) Refe no OB 9/12/33-5 d 23-6-33

To U.S.

Please see the O.M. at p 5 of and
the Bd's refce at pp 7 & 8 of.

2. With reference to Secy's remarks at
'A' above, condition (ii) at p 6 of G.O. 2077
Rev d 22-11-22 is unnecessary and

(41)

(W)

may be omitted.

3. Condition (6) of the conditions in the skeleton form necessarily follows condition (4, ^{as one of} it may therefore be included ~~as~~ the conditions

2

4. Condition (7) also appears to be necessary. It is for orders whether it may as be included.

2

5. Subject to orders, a draft order is submitted for approval.

It is better to have their consent.

27.6.33.
8u
27/6/33

Ask the Board what they think agree to these two conditions to the intention of the words "followed by purchase of the buildings" in Condition (5)

28.6.33

Recd 3/7

To U.S.

Go

A draft O. 14. (Site Bd of Rev is submitted for approval.

U.S. (draft for and

4.7.33

3.7.33
8u
3/7/33

20 19

15

Issued as O.H. no 1424 F/33-2 d) 4.7.33

11.9.10 of

From the Bd of Rev (d. R. & P) Refce no B 912/33-8 d) 25.8.33

11.11.12 of

To U.S.

Please see the notes on pp 5 & 6 ante,
the O.R. on pp 9 & 10 cf and the Bd's reply
on pp 11 & 12 cf.

2 The draft order originally ~~made~~ put up
is now submitted for approval

2
26.8.33.

82
26/8/33

2
26.8.33
S.

Mr 29/8

6/14 23/308

GOVERNMENT OF MADRAS.

Received.....1933.

Abstract.

Registered.....1933.

101.18/30/8/33
Sp 20/8
29/8

close
on
2/9

REVENUE DEPARTMENT.

G.O.No.Ms. 1555

Dated the 30-8-33

READ--the following:-

(W) G.O.No 2077 Rev d 22-11-22

1/11/44 No. 1424 F/33 From the Bd of Rev (d. Rev) Refe No B 912/33-3 d 7.4.
1/54 To — do — O.M.No 1424 F/33-1 d 8.5.3
1/7/48 From — do — Refe No B 912/33-5 d 23.6.
1/9/40 To — do — O.M.No 1424 F/33-2 d 4.7.33
1/11/42 From — do — Refe No B 912/33-8 d 25.8.33

ORDER -- In modification of G.O.No 2077 Rev d 22-11-22,
(W) the Government sanction the alienation of the plots of

(50 cents in shivalli village and S.No 178/2 measuring 90 cents in

land in S.No 216-A-A-A measuring ~~village~~

Puttur village Udipi Taluk, South Kanara District, in favour of the
(Lakshmi Venkatesh Temple of the Vaisheyanami community of Puttur)
successors of Sri for as the purposes of a temple and its
appurtenances

2. The alienation will be free of charge for the
occupancy right and free of land revenue

but subject to the following conditions:-

(1) The land shall be used *for the purposes of the temple and its appurtenances* and for no other purpose.

~~(2) The buildings shall be constructed within from the date of the grant.~~

(2) *No rent shall be levied for the Archakas and other temple servants occupying the outhouses.*

(3) The Government may resume the land, wholly or in part, with any buildings thereon, in the event of the infringement of any of the conditions of the grant, or if, in the opinion of the Government, the land is required for a public purpose, or for conducting mining operations.

(4) In the event of such resumption, if there are buildings on the land, the Government may, at their option either

- (a) purchase the buildings, or
- (b) allow the grantees to purchase the land at its value on the date of the sale, or
- (c) direct the grantees to remove the buildings.

(5) In the event of the resumption of the land followed by purchase of the buildings under condition (4) (a), or in

in the event of the acquisition of land for any reason, the compensation payable therefor shall in no case exceed the initial cost, or the value at the time of resumption or acquisition, whichever may be less, of any buildings erected or other improvements effected on the land by the grantees in accordance with the terms of the grant.

(6) In the event of the grantees refusing to remove the buildings, when so directed under condition (4) (c) the Government may remove them and realise the cost of the removal by the sale of the materials.

(7) In the event of the voluntary relinquishment of the land by the grantees, no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land by the grantees at their cost.

(8) Full land revenue shall be levied if at any time any net income is derived from the land.

✓
Rev (L. 124)

Dpd. by	Van
	Post
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Dpr.'s initials.	rm
Date	19 193

✓
27.6.33.
27/6/33

27.6.33
28.8.33

29/